

Remarks

Thorough examination and careful review of the application by the Examiner is noted and appreciated. Applicants respectfully request Examiner to allow entry of the Specification amendments and the amendment to claims 11 and 18 since they are amendments suggested by Examiner in paper # 4, and will place the Application in better form for appeal. Notice of appeal has been or will be filed in this Application.

The Abstract has been amended and a replacement paragraph presented on a separate page as required under revised amendment practice according to 37 CFR 1.121 as suggested by Examiner.

The Specification was inadvertently changed in the previous office action (paper #3) in paragraph 0042 due to reference to a pre-filed version of the Specification and has been amended as correctly pointed out by the Examiner to be consistent with the originally filed Specification.

Inadvertently overlooked grammatical corrections kindly pointed out by Examiner and appreciated by Applicants have been added in the present paper (Supplemental amendment) with respect to paragraphs 0008 and 0010.

The claim 11 has been amended to correct a grammatical errors as suggested by Examiner. Claim 18 has been amended to correct grammatical errors and be consistent with claim 11.

While Applicants understand that entry of amendment after final rejection is not a matter of right, the amendments are responses to amendments suggested by the Examiner and removes issues for appeal. See MPEP 714.13

It should be kept in mind that applicant cannot, as a matter of right, amend any finally rejected claims, add new claims after a final rejection (see 37 CFR 1.116) or reinstate previously canceled claims.
Except where an amendment merely cancels claims, adopts examiner suggestions, removes issues for appeal, or in some other way requires only a cursory review by the examiner, compliance with the requirement of a showing under 37 CFR 1.116(c) is expected in all amendments after final rejection. Failure to properly reply under 37 CFR 1.113 to the final rejection results in abandonment. A reply under 37 CFR 1.113 is limited to:
(A) an amendment complying with 37 CFR 1.116;

and MPEP Section 1207:

1207 Amendment Filed With or After Appeal

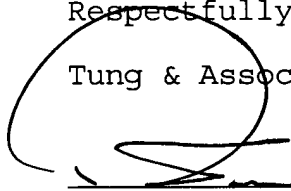
To expedite the resolution of cases under final rejection, an amendment filed at any time after final rejection, but before jurisdiction has passed to the Board (see MPEP § 1210), may be entered upon or after filing of an appeal brief provided that the amendment conforms to the requirements of 37 CFR 1.116.

For example, if the amendment necessitates a new search, raises the issue of new matter, presents additional claims without cancelling a corresponding number of finally rejected claims, or otherwise introduces new issues, it will not be entered. A new amendment, new affidavit, or other new evidence must be submitted in a paper separate from the appeal brief.

In the event that there is some other issue that can be resolved prior to appeal, or for any other reason, the Examiner is respectfully invited to call the Applicants' representative at his Bloomfield Hills, Michigan office at (248) 540-4040 such that necessary action may be taken to place the application in a condition for allowance.

Respectfully submitted,

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